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MALICE AS AN INGREDIENT OF A CIVIL CAUSE OF ACTION. By L. C. Krauthoff. 1898. pp. 56.

This paper, read by the author at the last annual meeting of the American Bar Association, is another comment upon the case of *Allen v. Flood*, [1898] App. Cas. 1. The author takes the middle ground in the discussion, adopting what he conceives to be the view of the House of Lords, that malice in actions for interference with business is immaterial, but that there is a certain "right to business" recognized by law which may be violated by an act which is in itself unlawful. The writer does not seem to be troubled by the fact that this right must be a rather peculiar one when nothing can violate it except an act which violates some other right, and depends upon that other violation for its illegality. But perhaps the state of American decisions does not permit us to question the existence of that right.

In dealing with the question of malice, Mr. Krauthoff agrees with the majority of the House of Lords, and concludes that most American cases agree with him. Without disputing his general conclusions at all, we cannot but feel that he does scant justice to the opposition, both in matter of reasoning and in regard to weight of authority. In Massachusetts and New Jersey there is certainly a strong tendency against the English rule. *Walker v. Cronin*, 107 Mass. 555; *Van Horn v. Van Horn*, 52 N. J. L. 284. The addition, if any, which the writer really makes to the theoretical discussion of the subject is his suggestion that the element of conspiracy can make no difference in the law, but that unlawful intimidation is more likely to be present where there is conspiracy; an act which might have no effect if done by one person may well intimidate if done by a hundred persons conjointly. J. G. P.

THE WAR REVENUE LAW OF 1898. Annotated by Edward L. Heydecker and Fulton McMahon. Albany, N. Y.: Matthew Bender. 1898. pp. vii, 167.

THE WAR REVENUE LAW OF 1898 EXPLAINED. By John M. Gould and Edward H. Savary. Boston: Little, Brown, & Company. 1898. pp. x, 190.

These books are identical in object, and differ little in plan of execution. Both print the Revenue Act in full and follow each section with notes. These notes point out what former acts are the basis of the sections in question, then give decisions rendered on the interpretation of similar provisions both in the United States and England, and lastly, suggest what seems to be the more probable meaning of certain doubtful passages. The first-mentioned volume is considerably the fuller in its historical treatment of the sections, and gives more reference to English decisions. The other, written two months later than the first, has the advantage of being able to quote many rulings by the commissioner regarding this very law. It also has an appendix containing explanatory circulars issued by the Department of the Interior, and also forms for the papers which may be required under the act. A chapter of "Practical Suggestions" based on the actual workings of the law is added.

Although the two books of necessity have much in common, they have been thought out on separate lines, and in each one there is much material which is not to be found in the other. For instance, each cites approxi-

mately three hundred and fifty cases bearing on the interpretation of the law; but of these only about one hundred and fifty appear in both volumes.

G. B. H.

THE PRINCIPLES OF THE LAW OF SEDITION. By J. Chaudhuri. Calcutta: Weekly Notes Printing Works. 1898. pp. vii, 48, liv.

This controversial pamphlet was directed against the then impending change in section 1244 of the Indian Criminal Code defining the offence of sedition. The thesis of the volume is that the common-law offences, which may be conveniently described as seditious, require both an overt act calculated to produce the unlawful use of force and a specific intent to subvert or overthrow the government. *Reg. v. Burns*, 16 Cox C. C. 366. The author is clearly right in his contention that the then proposed change from this requirement of an actual specific intent to a mere general intent inferred from the natural consequences of the act was a distinct departure from common law. However, the author is in error in assuming, as he does throughout, that to establish this thesis is a conclusive argument against the proposed change. He does not seem to consider the question of policy. Yet it was doubtless the special dangers in India from the vernacular press and from native agitators, secular and religious, that determined the enactment of a severer law of sedition.

B. W.

INTRODUCTION TO THE STUDY OF LAW. By Edwin H. Woodruff. New York: Baker, Voorhis, & Co. 1898. pp. 84.

The first few weeks of legal study often prove discouraging. This book is designed for a temporary aid during this period. It is a collection of such information as the author has felt "would be of particular assistance to students just entering upon the study of law." It explains in simple language those fundamental principles and truths which the student meets from the first. The relation of law to morality, the difference between authority and *dictum*, the desirability of following precedent, etc. — all these matters are considered. The writer outlines the difference between law and equity, and gives a brief historical summary of their development. The different kinds of law books, their uses, and abbreviations, are touched upon. The relations of the different courts to each other are mentioned. The author has succeeded in putting what he has to say into an attractive and concise form, and while the book is hardly one for careful study, it will repay reading.

G. B. H.

## BOOKS RECEIVED.

CASES ON AMERICAN CONSTITUTIONAL LAW. Edited by Carl Evans Boyd. Chicago: Callaghan & Co. 1898.

CODE MUNICIPAL DE LA PROVINCE DE QUEBEC. Annoté. Par J. E. Bedard. Montreal: C. Theoret. 1898.

GENERAL DIGEST. Quarterly advance Sheets. Rochester, N. Y.: The Lawyer's Coöperative Publishing Co. July, 1898.

INDIANA BAR ASSOCIATION ANNUAL REPORT. Indianapolis: Reporter Publishing Co. 1898.